

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DUSTIN FOCKLER,) Civil Action No. 05-123 ERIE
)
Plaintiff,) Hon. Sean J. McLauhlin, Judge
)
vs.) Hon. Susan Paradise Baxter
Chief, U.S. Magistrate Judge
UNITED STATES MARSHAL SERVICE)
)
Defendant.)

MOTION TO AMEND COMPLAINT

Plaintiff, Dustin Fockler, appearing pro se, hereby moves this Court, pursuant to Fed.Civ.P. 15(a), for leave to file an amended complaint.

1. Plaintiff seeks to amend his complaint by deleting the UNITED STATES MARSHAL SERVICE as a defendant and replacing it with UNITED STATES OF AMERICA.

2. This Court should grant leave to freely amend a complaint. Foman v. Davis, 371 U.S. 178, 182 (1962).

WHEREFORE, facts and premises considered, the Plaintiff prays that this Court grant this motion as moved.

Dated: February 22, 2006

Respectfully submitted:

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Dustin Fockler
Dustin Fockler
Reg. No. 11376-040
FCI McKean
P.O. Box 8000
Bradford, PA. 16701-0980

CERTIFICATE OF SERVICE:

I do hereby certify that I placed in the U.S. Mail, first-class postage prepaid, a true and correct copy of this pleading, on the above referenced date, for delivery to:

Megan E. Farrell, Esq.
Assistant U.S. Attorney
700 Grant Street, Suite 4000
Pittsburgh PA 15219

Dustin Fockler
Dustin Fockler